

# SUPREME COURT, CIVIL BRANCH NEW YORK COUNTY

## PROTOCOL ON COURTHOUSE PROCEDURES FOR ELECTRONICALLY FILED CASES

Attorneys seeking information about how the New York State Courts Electronic Filing System (“NYSCEF”) works are advised to consult the *User’s Manual* and *FAQ’s*, both available on-line at the NYSCEF website ([www.nycourts.gov/efile](http://www.nycourts.gov/efile)). What follows is an outline of the steps that will be used in e-filed cases to satisfy traditional courthouse requirements for the processing of cases, such as the submission of orders to show cause. The steps outlined here seek to save attorneys time, trouble and trips to the courthouse while meeting the needs of Justices and the court.

### **A. Consent of All Parties Required**

In the interests of efficiency, in New York County all parties to a case must consent in order for it to become an e-filed matter.

### **B. Identifying E-Filed Cases**

E-filed cases must be readily identifiable as such. Whenever counsel presents papers to a member of the staff of the County Clerk or the court in a NYSCEF matter, counsel should alert the Clerk that the case is a NYSCEF matter. Further:

1) **Cases Commenced via NYSCEF**: Cases that are commenced by filing of the initial papers with the NYSCEF system are identified as e-filed cases by assignment of a special index number (i.e., cases beginning with 650,000 (Commercial matters), 250,000 (tax certiorari matters), and 150,000 (tort cases)).

2) **Cases Converted to NYSCEF**: Cases originally commenced in hard-copy form but later converted to NYSCEF status will bear a regular index number initially. However, when a case is converted to that status, court staff will change the case indicator in the court’s Civil Case Information System (“CCIS”) computer to identify the matter as a NYSCEF case; specifically, court staff will change the action-type notation in CCIS to reflect the NYSCEF status of the matter (e.g., from “Contract” to “E Contract”). This will also add a suffix to the index number in CCIS (e.g., 600136/2005 E). This suffix serves only as an identification and is not formally a part of the index number that will be assigned by the County Clerk. **Attorneys must use the suffix in the form illustrated here on all papers filed with the court in electronically-filed matters.**

3) **Commercial Division Cases**: Beginning June 15, 2008, all Commercial Division cases in New York County are presumptively to be e-filed and all not so commenced will be converted by court staff upon filing of the Request for Judicial Intervention (“RJI”). See Notice to the Commercial Division Bar of the Administrative Judge, Hon. Jacqueline W. Silbermann, May 20, 2008.

### **C. Filing of Papers Generally**

1) **Fees**: Court fees in NYSCEF cases may be paid on-line by a credit card. This can often save an attorney from having to make a trip to the courthouse. Papers may also be filed with the NYSCEF system and the

fee paid at the County Clerk's Office. In the latter case, the paper is not considered to have been filed until payment of the fee has been tendered (see CPLR 304). Whenever an attorney chooses to use the option to pay at the County Clerk's Office, payment should be submitted expeditiously; otherwise, the document in question may remain unprocessed in the County Clerk's NYSCEF "To Do Box." Counsel so paying should alert the County Clerk Cashier (646-386-5932 or 5949) that the case is a NYSCEF matter.

2) **Papers Must Be Filed to the System:** All papers to be filed with the court in a NYSCEF case shall be filed on-line with the NYSCEF system (except where a special exemption is granted (e.g., oversized maps) or as directed by the court). Papers that attorneys would not ordinarily file with the court in a hard-copy case need not be filed in a NYSCEF matter. Generally speaking, counsel should not submit to the court hard copies of papers in NYSCEF cases except for courtesy hard copies of papers intended for judicial review. Papers submitted in hard copy form are considered courtesy copies.

3) **Courtesy Hard Copies of Papers for Judicial Review:** Unless otherwise directed by the court or as described below, in all cases in the court's NYSCEF system in which an RJI has been filed, **the court requires that courtesy hard copies of motion papers and other papers *intended for review by a Justice* be submitted.** These papers shall include tabs and backs and, in the case of motion papers, shall bear a notation of the Motion Sequence Number of that motion, which number is available in NYSCEF. In addition, it is imperative that every hard copy paper submitted to the court carry, conspicuously placed on the front page, the following legend: **"Courtesy Copy. This document has been e-filed as Document No. \_\_\_\_\_."**

4) **Filing With the System First; Deliver Courtesy Hard Copies Thereafter:** Generally speaking, unless otherwise directed or authorized by the court, counsel should file papers with the NYSCEF system first and thereafter deliver any required courtesy copy to the court. Courtesy hard copies on motions pending in the Motion Support Office Courtroom (Room 130) should be submitted in accordance with the regular procedures of the Courtroom. Immediately upon filing with NYSCEF, the system transmits an e-mail notification to all consenting parties, thereby effectuating service. Thereafter, the courtesy copy of the paper can be delivered to the court with appropriate proof of service attached. As to proposed orders to show cause, see Par. H.

5) **Discarding of Courtesy Hard Copies:** It is the responsibility of counsel to ensure that filing with NYSCEF of all papers has taken place. Since the official record of a document in an e-filed case is the document filed on-line, hard copies are considered courtesy copies. The court may not retain courtesy hard copies, but may discard them after use by the Justice, in which event, should counsel fail to file a document with NYSCEF, the document will not be part of the County Clerk's file. Court staff will not screen every document filed in hard copy to be sure that the document has been filed with NYSCEF. In Commercial Division cases, beginning June 15, 2008, **all courtesy hard copies of papers submitted to a Justice for judicial review will be discarded** unless the paper bears the following legend: "Counsel will retrieve this copy and requests retention." Papers so marked will be retained in the Motion Support Office Courtroom (Room 130) for two weeks after the date on which the decision or other judicial action has been recorded in NYSCEF, after which, if not retrieved, the papers will be discarded.

6) **Court Will Print Out and Deliver Certain Non-Voluminous Papers for Judicial Review:** To assist counsel, the relevant back office of the court will (after payment on-line of any related filing fee) print out from the NYSCEF system hard copies of certain non-voluminous documents (i.e., those up to 25 pages long) that are intended for review by a Justice and will deliver them to the relevant back office for

processing and transmission to the Justice. No courtesy copy need be delivered by counsel. Documents in this category include proposed long form orders or counter-orders.

7) **Courtesy Copies Not Required of E-Filed Documents That Are Not Intended for Judicial Review:** E-filed documents **intended for processing by a back office but not for review by a Justice** (e.g., preliminary conference requests, consents to change counsel, notes of issue, and stipulations of settlement or discontinuance) will, after payment of any fee on-line, be processed by the relevant back office. These papers should be e-filed, not submitted in hard copy form. No appearance by counsel is required. As to motions and orders to show cause, see below.

#### **D. Requests for So-Ordered Stipulations**

If an attorney wishes to submit a stipulation to be “so ordered,” he or she should file the document with NYSCEF and then contact the New York County E-Filing Office (646-386-3610 or newyorkef@courts.state.ny.us). That office will print out a hard copy and forward it to the Justice assigned for action. No appearance by counsel is needed.

#### **E. Requests for Judicial Intervention**

An RJI in a NYSCEF case shall be submitted via NYSCEF. Once filed and paid for on-line, the RJI and any accompanying document will be forwarded to the relevant back office for random assignment of the case and processing of the document. Counsel need not appear. In the case of RJIs seeking assignment to the Commercial Division, the filer must submit therewith, as required by the standards for assignment of cases to the Commercial Division (Uniform Rules 202.70 (d) (2)), a statement in support of the assignment and a copy of the pleadings, which will be forwarded to the assigned Justice for review. If the RJI seeks intervention with regard to a document that is intended for review by a Justice, such as a motion, a courtesy hard copy of the RJI should be submitted with the courtesy hard copy of the motion.

#### **F. Motions on Notice**

1) **Motions/Petitions Returnable in Room 130 to be Filed On-Line:** A motion on notice or a notice of petition in a NYSCEF case, as in others, shall be made returnable in the Motion Support Office Courtroom (Room 130). The motion shall be filed on-line and the motion fee paid for either on-line by credit card or by the “Pay at the County Clerk’s Office” option. The motion in a NYSCEF case should be filed on-line at least five business days prior to the return date, as in non-NYSCEF cases, to allow time for processing and calendaring.

2) **Exhibits:** Whenever possible, attorneys submitting exhibits in NYSCEF cases should make each exhibit a separate attachment to an affidavit/affirmation in the system.

3) **Calendaring of Motion/Petition and Notice by Court Staff:** After a motion/petition and notice are filed with the NYSCEF system and reviewed by court staff, the Motion Support Office will automatically place the motion/proceeding on the calendar of the Motion Support Office Courtroom (Room 130) for the date fixed; no appearance or other action by the filing attorney is required in order for the motion to be calendared if the motion fee is paid for on-line. If the “Pay at the County Clerk’s Office” option is used, prompt payment shall be made. Motions in e-filed cases appear on a separate calendar in the Courtroom. No appearance is required on the return date in Room 130. Please see Par. F (7) (a) below.

4) **Sequence Number for NYSCEF Motions:** As in a regular case, each motion/proceeding filed on-line in an e-filed case is assigned an identifying motion number (a “Motion Sequence Number,” e.g., Seq. No. 006)). The NYSCEF system will prompt the filer to “tag” each new motion with a sequence number, which, of course, should be the next number in chronological order (order of filing with the system) after that of the previous motion as shown on the NYSCEF case docket. In New York County, cross-motions are not separately numbered, but, like opposition and reply papers, are collected under the sequence number of the motion to which they are addressed, and should be tagged by the filer accordingly. Counsel should place this number on the front of all courtesy copies submitted on motions.

5) **Cross-Motions and Other Motion Papers to be Filed On-Line:** Cross-motions and opposition and reply papers must be submitted on-line. A fee must be paid on cross-motions and may be paid on-line.

6) **Adjournments on Motions/Petitions in Room 130; Appearance Can Be Avoided:** Motions that have been e-filed may be adjourned in Room 130 if they comply with any rules or directives of the assigned Justice or the Commercial Division or the procedures of the Motion Support Office Courtroom. With regard to the last, adjournments are allowed upon written stipulation. No more than three adjournments for a total of no more than 60 days are allowed except with the permission of the assigned Justice, usually by means of a so-ordered stipulation. See the court’s website for these procedures (at [www.nycourts.gov/suptctmanh](http://www.nycourts.gov/suptctmanh)). An adjournment that complies with the rules may be obtained by submitting a stipulation of all parties on-line. The Motion Support Office will effectuate the adjournment in that situation without the need for an appearance or any other action by the parties to the case. Also, applications for and against an adjournment that are in compliance with other Room 130 procedures and which do not, in the parties’ view, require an appearance can be submitted on-line in NYSCEF cases. Counsel should contact the New York County E-Filing Office (646-386-3610) or the Motion Support Office (646-386-3030) after the filing of the stipulation or application on-line to alert the staff.

7) (a) **Courtesy Hard Copies - Delivery by Mail, etc.; Motions in Room 130:** Courtesy copies (with tabs and backs) of all papers on NYSCEF motions must be submitted after filing on-line. Each paper must be marked: “**Courtesy Copy. This document has been e-filed as Document No. \_\_\_\_\_.**” As to courtesy copies of moving papers and other papers on motions that are returnable in the Motion Support Office Courtroom (Room 130), the Motion Support Office (Room 119) will accept delivery by regular or express mail, private delivery service or messenger. Such papers should be placed in an envelope prominently marked with the words “**NYSCEF Motion Papers.**” Moving papers must be e-filed five business days prior to the return date. Courtesy copies of cross-motion, opposition and reply papers may also be handed up on the return date in the Motion Support Office Courtroom. Or courtesy copies of these papers may be delivered to that Courtroom on the final return date; parties are encouraged to agree that one party will submit the papers of all parties at that time.

(b) **Courtesy Hard Copies on Motions Returnable in the Part; Subsequent Papers Handed up in the Part:** On orders to show cause that are made returnable in the Part, courtesy hard copies of all papers, tabbed and backed and marked as described in the immediately preceding subparagraph, must be delivered to the Part. On any motion, if the court permits any party to submit additional papers beyond those previously submitted in Room 130, the attorney must be sure first to file those papers on-line with NYSCEF and then to submit those courtesy copies, tabbed, backed and properly marked, in the Part. All motion papers should be marked with the motion sequence number to which they relate.

8) **Results of Room 130 NYSCEF Calendar Posted On-Line:** Results of the proceedings of the e-filed

calendar in Room 130 for any court day will be posted two days later on the court's website (see "Motion Support Calendars" at [www.nycourts.gov/suptctmanh](http://www.nycourts.gov/suptctmanh)).

9) **Scanning and Transmission of Decisions:** After the court issues a decision on a motion in a NYSCEF case, it will forward the decision to the E-Filing Office, which will promptly scan it, with County Clerk entry stamp, into the NYSCEF system. The system will immediately transmit notice of this event via e-mail, including a link to the entered document, to all parties who have consented on-line in the particular case.

## **G. Long Form Orders on Motions**

If the court directs that an order be settled on a motion in a NYSCEF case, the proposed order with notice of settlement and any proposed counter-order shall be filed with the court on-line. (If a decision refers to a proceeding on the record, a copy of the transcript must be e-filed.) The relevant back office (the Motion Support Office Order Section (Room 119) or the Commercial Division Support Office (Room 148)) will process the documents in the customary manner. The Clerk of the back office will print out a copy of the documents and, as appropriate, may make changes on the proposed order/counter-order by hand or may contact the submitting attorney by e-mail or telephone. Once a proposed order/counter-order in proper form has been arrived at, the Clerk of the back office will forward it in hard copy to the Justice. No appearance by counsel is required. After an order/counter-order has been signed, the Clerk will scan it, with County Clerk entry stamp, into the NYSCEF system, which will immediately transmit notice of this event via e-mail, including a link to the entered document, to all parties who have consented on-line in the case. This does not constitute notice of entry. See Par. L below.

## **H. Orders to Show Cause**

1) **Proposed OSC's and Supporting Papers to be Filed On-Line:** Proposed orders to show cause and supporting papers in all NYSCEF cases must be filed with the system by the applicant. This ought normally to be done prior to review by the Counsel of the Commercial Division Support Office or the Ex Parte Office in the case of non-Commercial cases. Counsel must comply with Uniform Rule 202.7 (f) regarding notice of the application. See also Commercial Division Rules 20 and 21 (Uniform Rule 202.70).

2) **Alternative Submission by E-Mail:** If a party submits an affirmation demonstrating significant prejudice from the giving of notice, the proposed order to show cause and supporting papers may be submitted to the Counsel of the Commercial Division Support Office or the Ex Parte Office by regular e-mail (i.e., outside the NYSCEF system) at the following addresses, respectively: [commdiv-nyef@courts.state.ny.us](mailto:commdiv-nyef@courts.state.ny.us) and [exparte-nyef@courts.state.ny.us](mailto:exparte-nyef@courts.state.ny.us). In such instances, the applicant must file the proposed order and supporting papers with the NYSCEF system after signature.

3) **Review of Proposed OSC's Will be Done On-Line:** Absent unusual practical difficulties, a proposed order to show cause and supporting papers will be reviewed for form on-line in NYSCEF or as an e-mail attachment outside NYSCEF by the Commercial Division Counsel or by the Ex Parte Office in non-Commercial cases. If there are difficulties with the form of the papers, the submitting attorney will be promptly contacted by the back office by e-mail or telephone.

4) **Courtesy Hard Copies; Delivery by Counsel; Printing by Back Office; Receipt and Review of**

**Papers On-Line by Some Justices:** Since a proposed order to show cause requires a judicial signature and a courtesy hard copy is required of all papers intended for judicial review, a proposed order to show cause and, unless otherwise directed, the supporting papers must also be submitted to the Justice in courtesy hard copy form (tabbed and backed). Thus, after the proposed order to show cause has been transmitted to court and approved for form by the back office and the motion fee has been paid, the reviewing office will print out a hard copy of the proposed order to show cause, but, in addition, courtesy hard copies of the supporting papers, marked as such, must be delivered by the applicant to the Commercial Division Support Office or the Ex Parte Office for transmittal to the Justice for consideration. However, in instances in which the proposed order to show cause and supporting papers have been filed on-line with NYSCEF, if the papers are brief (i.e., no more than 25 pages), the filing attorney may contact the Commercial Division Support Office or the Ex Parte Office, which, circumstances permitting, will print out a hard copy of the papers in approved form and deliver them to the Justice, thereby avoiding a trip to the courthouse for counsel. Since some Justices are located some distance from the back offices, including in other buildings, this option may not always be available. This option will not be available if the papers are submitted for review by e-mail outside NYSCEF since in that situation payment of the court motion fee cannot be made on-line.

5) **Posting the Signed Order to Show Cause to the NYSCEF Site:** In all instances, the Part Clerk will promptly forward to the E-Filing Office the order to show cause as marked up and signed by the Justice. The Office will post the order to the site. In the event that any supporting papers were not previously posted, counsel must make such posting. See Par. C (5) regarding discarding of courtesy copies after judicial action.

#### **I. Procedures Regarding Service On-Line**

1) **Service; Procedures:** The NYSCEF Rules govern the service process for interlocutory papers. Basically, service is made by transmitting a document to the NYSCEF site, which immediately sends e-mail notice thereof, including a link to the document, to all consenting counsel and self-represented parties on the case.

2) **Other Methods of Service:** The Rules authorize service by other methods permitted by the CPLR. If an attorney serves another party or parties with a paper filed with the NYSCEF system by mail or in person, the attorney must file an affidavit/affirmation of service on-line.

#### **J. Secure Documents and Sealing of Documents**

1) **Secure Documents:** Documents may be designated “secure” by the filing user without an order of the court. The effect of such designation is that the document may be viewed in the NYSCEF system only by counsel and self-represented parties to the case who have consented to NYSCEF and by the court. The electronic file, however, remains open for public inspection via computer at the courthouse (unless sealed in accordance with Part 216 of the Uniform Rules for the Trial Courts).

2) **Sealing; Compliance with Part 216; Procedures:** In order to seal a document in a NYSCEF case, a party must proceed in accordance with Part 216. If a party wishes to file and maintain papers under seal and no sealing order has been issued in the case, the party must, either by motion or on submission to the court of a stipulation, obtain a court order directing the Clerk to seal the file. The court will conduct a Part 216 analysis in deciding whether to issue such an order. If the motion/stipulation is filed with the

NYSCEF system, it will be open to the public until a sealing order is issued. If this creates concern for the parties about the release of confidential information in the meantime, they may wish to consider filing the motion/stipulation as a “secure” document if that is appropriate. Or, the motion/stipulation may be filed with the system but without the attachment of any exhibits that would disclose confidential information. If the file is sealed in whole or in part, the exhibits can be filed with NYSCEF after the fact. Or the parties may make a motion or submit a stipulation without filing it to the system until after the court rules on the sealing issue if such filing would disclose confidential information. All papers, though, must be e-filed.

3) **Execution of New Sealing Order:** If the court issues an order directing the sealing of a NYSCEF file in whole or in part, the party seeking the sealing should file with the NYSCEF system a Certificate Requesting Sealing of Document in Electronically-Filed Case (available on this court’s website), together with a copy of the court’s order. If such a request is properly made, the County Clerk will seal the file or the document(s) in question as directed by the court, both in the NYSCEF system and, if any of the covered documents are found therein, in the hard copy file.

4) **Previously Sealed File:** If a case that was previously sealed pursuant to court order is converted to NYSCEF status, counsel for the parties should promptly alert the County Clerk’s Office (jdmt-nyef@courts.state.ny.us or 646-386-5943) that an order sealing the file was issued.

#### **K. Preliminary Conferences in NYSCEF Cases**

In lieu of making an appearance at a scheduled preliminary conference, all parties in a NYSCEF case may agree upon a discovery schedule and submit an appropriate preliminary conference form (forms are posted on this court’s general website (nycourts.gov/suptctmanh)) stipulated to by all parties. The discovery schedule therein set forth must be in compliance with the disclosure guidelines for a case of the type in question as set forth in Uniform Rule 202.19. The stipulated form must be filed on-line with the NYSCEF system at least two days prior to the conference date. Counsel should contact the New York County E-Filing Office by phone (646-386-3610) to inform it of the filing so that the Office can take expeditious action. The E-Filing Office will promptly forward the form to the Part in question. **No further action by counsel is required.** The signed form will be posted on the NYSCEF site and counsel will be notified by e-mail. If the court perceives a problem with the contents of the form submitted, counsel will be contacted. See Uniform Rule 202.12 (b).

#### **L. Entry and Notice of Entry**

1) **Entry:** Pursuant to the NYSCEF Rules (Section 202.5-b (j)), the Clerk shall file orders electronically and such filing shall constitute entry of the order. The Clerk is required to and will transmit an e-mail message to all filing users on the case notifying that the order has been entered. Such notice does not constitute service of notice of entry by any party.

2) **Notice of Entry:** Notice of entry is served by a party as follows: the party simply transmits electronically to the parties to be served the notification received from the court, along with an express statement that the transmittal constitutes notice of entry.

#### **M. Judgments and the Judgment Roll**

1) **Entry of Judgment; Procedures:** If the court in an order directs entry of judgment by the County

Clerk, the party seeking entry shall submit a proposed judgment with bill of costs, interest calculations and supporting information to the County Clerk, together with a Certificate Requesting Entry of Judgment (available on the court's website). It is requested that a legal back be included with these documents since the County Clerk uses the back as the location for stamps affixed upon entry. These documents should be e-filed or may be sent by e-mail outside the NYSCEF system to the following e-mail box: [jdmt-nyef@courts.state.ny.us](mailto:jdmt-nyef@courts.state.ny.us). The Judgment Clerk will promptly communicate with counsel by e-mail or phone in the event of any difficulties with the submission. Once the judgment is in proper form, it will be printed out by the Judgment Clerk and submitted to the County Clerk for signature. The Judgment Clerk will scan the judgment once signed and post it to the system, along with the supporting information, at which time notification will be sent via e-mail to all consenting users.

2) **Default Judgment; Entry by Clerk:** If the plaintiff in a NYSCEF case seeks entry of a default judgment by the Clerk pursuant to CPLR 3215, the attorney should pay the \$ 45 motion fee and either transmit to the NYSCEF system a proposed Clerk's default judgment with bill of costs, etc. and the Certificate Requesting Entry of Judgment, or forward these documents to the Clerk outside the NYSCEF system (to the e-mail box [jdmt-nyef@courts.state.ny.us](mailto:jdmt-nyef@courts.state.ny.us)). Where the submissions are made to NYSCEF, the Judgment Clerk will promptly enter the judgment or will communicate with the filer by phone or e-mail if a problem is detected. If the submission is made to the e-mail box outside NYSCEF, the Judgment Clerk will promptly communicate with counsel by e-mail or phone advising that the submission is in proper form or pointing out any defects. Once the submission has been approved, the attorney must file on the NYSCEF system the proposed Clerk's default judgment in final form with bill of costs, etc. To enter the judgment the Clerk will print out the judgment from NYSCEF, have it signed, and scan it to the system.

3) **Judgments Signed by Court:** In some instances, the court itself may sign the judgment. Calculation of disbursements, costs and interest will generally be left to the County Clerk by the court. Papers supporting such calculation may be submitted to the County Clerk in the same manner as described above.

4) **Judgment Roll:** Whenever a judgment is to be entered, a judgment roll must be created by counsel or the clerk (CPLR 5017 (a)). Counsel shall submit the Certificate Requesting Entry of Judgment and shall identify therein, by title of the paper, number of the paper on the NYSCEF List of Documents Filed, and date filed, all e-filed documents that should form part of the judgment roll. Any documents that were filed in hard-copy form only prior to the conversion of the case to e-filed status and that are to be included in the judgment roll should be scanned into the system by counsel and included in the Certificate. The County Clerk will post the Certificate on-line once approved and this will constitute the judgment roll.

5) **Entry of Judgment:** Once the County Clerk has taxed costs and disbursements and calculated interest and has in hand a signed judgment, the Clerk will stamp the judgment with the County Clerk file stamp and scan the judgment to the system. This constitutes entry. The Clerk is required to and will transmit an e-mail message to all filing users on the case notifying that the judgment has been entered. This notice does not constitute service of notice of entry by any party. As to notice of entry, see Par. L (2) above.

## **N. Notices of Appeal and Appeal Papers**

1) **Notice of Appeal; Payment of Fee:** A notice of appeal shall be filed on-line in a NYSCEF case. The fee therefor must be paid by credit card on-line or by means of the "Pay at the County Clerk's Office" option. In the latter situation, the notice will not be considered "filed" until payment of the fee is tendered to the County Clerk at the office. The filer must inform the Clerk that the case in question is an e-filed

matter. No hard copy should be delivered to the County Clerk's Office.

2) **Notice of Appeal; Procedures:** The notice shall be filed together with a pre-argument statement and a copy of the judgment or order appealed from. The other parties to the case may be served on-line. The County Clerk will print a hard copy of any e-filed notice of appeal and include it in the County Clerk file.

3) **NYSCEF; Appellate Division:** At present, the Appellate Division, First Department does not handle appeals in NYSCEF cases by electronic means. Counsel are advised to consult the rules of that court and to confer with the County Clerk.

**ANY ATTORNEY WHO REQUIRES ASSISTANCE IN A NYSCEF CASE IS ENCOURAGED TO CONTACT THE NEW YORK COUNTY E-FILING OFFICE OR THE E-FILING RESOURCE CENTER. COMPUTER EQUIPMENT IS AVAILABLE AT THE COURTHOUSE FOR THE USE OF ATTORNEYS WHO MAY NEED TO MAKE FILINGS IN NYSCEF CASES AND WHO FROM TIME TO TIME ARE UNABLE TO MAKE THE FILINGS FROM THEIR OWN OFFICES.**

Dated: June 6, 2008

**HON. JACQUELINE W. SILBERMANN  
ADMINISTRATIVE JUDGE**

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